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## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

21

Application Number

10/663,039

Filing Date

September 15, 2003

First Named Inventor

Issak Volynsky

Art Unit

3712

Examiner Name

Not yet assigned

Attorney Docket Number

MAT 3H2

### ENCLOSURES (Check all that apply)

- Fee Transmittal Form  
 Fee Attached
- Amendment/Reply  
 After Final  
 Affidavits/declaration(s)
- Extension of Time Request
- Express Abandonment Request
- Information Disclosure Statement
- Certified Copy of Priority Document(s)
- Reply to Missing Parts/  
Incomplete Application  
 Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

- Drawing(s)  
 Licensing-related Papers  
 Petition  
 Petition to Convert to a Provisional Application  
 Power of Attorney, Revocation  
 Change of Correspondence Address  
 Terminal Disclaimer  
 Request for Refund  
 CD, Number of CD(s) \_\_\_\_\_  
 Landscape Table on CD

- After Allowance Communication to TC  
 Appeal Communication to Board of Appeals and Interferences  
 Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)  
 Proprietary Information  
 Status Letter  
 Other Enclosure(s) (please identify below):  
 Form PTO-1449, 11 references.

Remarks

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Kolisch Hartwell, P.C.

Signature

Printed name

Charles H. DeVoe

Date

February 16, 2005

Reg. No.

37,305

### CERTIFICATE OF TRANSMISSION/MAILING

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Typed or printed name

Suzanne Lukas-Werner

Date

February 16, 2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Application Of:

ISSAK VOLYNSKY

Dated: February 16, 2005

Serial No. : 10/663,039

Our File: MAT 3H2

Filing Date : September 15, 2003

Group Art Unit: 3712

For : HIGH-VOLUME INSERTS FOR FLEXIBLE DOLLS

Mail Stop AMENDMENT  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Sir:

**INFORMATION DISCLOSURE STATEMENT**  
**UNDER 37 C.F.R. §§ 1.56, 1.97, and 1.98**

Applicant is submitting this Information Disclosure Statement pursuant to 37 C.F.R. §§ 1.56, 1.97, and 1.98 to disclose to the U.S. Patent and Trademark Office the patents, publications, applications, and/or other references listed on the enclosed, completed PTO-1449 form(s). The filing of this Information Disclosure Statement should not be construed as a representation that a search has been made or as an admission that the listed references are prior art for this application. Applicant respectfully requests that the listed references be expressly considered during prosecution of the application, and that the references be made of record therein and appear among the "references cited" on any patents issuing therefrom.

## **CONTENT OF DISCLOSURE**

This Information Disclosure Statement includes (1) one page of PTO-1449 forms, and (2) a legible copy of each foreign and non-patent reference, if any, listed on the form(s). However, because this application was filed on or after July 1, 2003, no copies of U.S. patents or published U.S. patent applications are included.

## **FOREIGN-LANGUAGE REFERENCES**

A concise explanation of the relevance of each listed reference not in the English language is attached to each reference.

## **TIMING OF DISCLOSURE / FEE INFORMATION**

This Information Disclosure Statement is being filed, to the best of the undersigned's knowledge, either (1) before the mailing of a first Office action on the merits, or (2) before the mailing of a first Office action after the filing of a request for continued examination under 37 C.F.R. § 1.114. Therefore, in accordance with 37 C.F.R. §§ 1.97(b)(3), or (b)(4), no fee is required.

The subject matter of each of the photographs disclosed herein was, or is believed to have been, commercially available prior to September 15, 2003.

Please contact the undersigned with any questions or comments regarding this Information Disclosure Statement.

O P E  
FEB 22 2005  
PATENT & TRADEMARK OFFICE  
CERTIFICATE OF MAILING

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Suzanne Lukas-Werner

Respectfully submitted,

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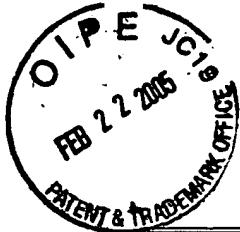
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SHEET 1 OF 1

FORM PTO-1449  INFORMATION DISCLOSURE CITATION IN AN APPLICATION		DOCKET NUMBER MAT 3H2	APPLICATION NUMBER 10/663,039			
		APPLICANT(S) Issak Volynsky				
		FILING DATE September 15, 2003	GROUP ART UNIT 3712			
U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FIL. DATE IF APPROP.
	6,126,509	10/3/2000	Berman			
	3,394,490	7/30/1968	Baxter			
	2,174,932	10/3/1939	Weis et al.			
	2,129,421	9/6/1938	Hales			
FOREIGN PATENT DOCUMENTS						
	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB CLASS	TRANSLATION YES                  NO
	JP61169217	7/30/1986	Japan			<input checked="" type="checkbox"/> X
OTHER DOCUMENTS						
	Photograph of "Starting Lineup" Shaquille O'Neil action figure in packaging.					
	Photograph of the dissected parts of "Starting Lineup" Shaquille O'Neil action figure.					
	Photograph of Max Steel "Psycho" action figure in packaging.					
	Photograph of the dissected parts of Max Steel "Psycho" action figure.					
	Photograph of right leg and partial torso of Max Steel "Psycho" action figure.					
	Photograph with cross-sectional view of leg of Max Steel "Psycho" action figure.					
	Photograph with cross-sectional view of leg of Max Steel "Psycho" action figure.					
	Photograph of the "Action Man" action figure packaging.					
	Photograph of the dissected parts of the "Action Man" action figure.					
	Photograph of the leg insert used in the GI Joe Action Soldier 1994 Commemorative Edition.					
EXAMINER			DATE CONSIDERED			